

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DALLAL RAWHI FARHA,

Petitioner,

Case No. 20-cv-750-pp

v.

TAMI STAEHLER,

Respondent.

**ORDER DISMISSING PETITION FOR FAILURE TO EITHER PAY FILING FEE
OR FILE AN APPLICATION TO PROCEED WITHOUT PREPAYING THE
FILING FEE**

On May 18, 2020, the petitioner filed a petition for a writ of *habeas corpus* under 28 U.S.C. §2254. Dkt. No. 1. At that time, she was in Robert Ellsworth Correctional Institution. *Id.* at 1. Along with the petition, she filed a motion to proceed *in forma pauperis*; rather than using this court's form application to proceed without prepaying the filing fee, the petitioner wrote a three-sentence letter indicating that she did not have the affidavit and that she was enclosing her inmate trust account. Dkt. No. 2. The single-page prisoner trust account covered the period April 17 through April 29, 2020.¹ Dkt. No. 3.

¹The public docket shows that the defendant was charged by complaint on June 11, 2019. <https://wcca.wicourts.gov/case>, State v. Farha, 2019CF02491 (Milwaukee County). She was in custody during the pendency of the case; she was sentenced on October 23, 2019. *Id.* The Wisconsin Inmate Locator web site shows that the petitioner was transferred from the Milwaukee County Jail to Taycheedah Correctional Institution on November 4, 2019, then from Taycheedah to Ellsworth on January 8, 2020. <https://appsdoc.wi.gov/lop/detail.do>. By the time she filed this *habeas* petition, the petitioner had been at Ellsworth over four months, and had been in the custody of the Department of Corrections six and a half months. The petitioner did not explain why she provided only twelve days' worth of trust account records.

By the time the court was able to screen the petition—much later than it would have liked—the petitioner had been released from custody.

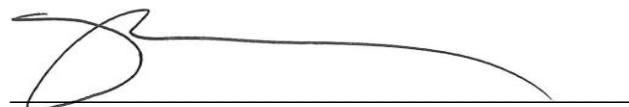
<https://appsdoc.wi.gov/lop/detail.do>. On May 11, 2021, the court issued an order requiring that, in time for the court to *receive* it by the end of the day on June 11, 2021, the petitioner either must pay the \$5.00 filing fee or file an application, on the court's form (which it provided along with the order) asking the court to allow her to proceed without prepaying the filing fee. Dkt. No. 6. The court advised the petitioner that if she did not do one or the other of those things by June 11, 2021, the court would dismiss the petition for failure to follow the court's order and failure to actively prosecute the petition. *Id.* at 3 (citing Civil Local Rule 41(c)). The court contacted the petitioner's state supervision officer and obtained her current address; that is where the court mailed the May 11, 2021 order.

June 11, 2021 has passed and the petitioner has neither paid the \$5.00 filing fee nor filed an application to proceed without doing so. The court's order has not been returned as undeliverable. The court will dismiss the petition.

The court **ORDERS** that the petition is **DISMISSED WITHOUT PREJUDICE**. The clerk will enter judgment accordingly.

Dated in Milwaukee, Wisconsin this 15th day of June, 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge